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UNITED STATES BANKRUPTCY COURT

SOUTHERN DISTRICT OF NEW YORK

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In re:	:	Chapter 11
	:	
SAINT VINCENTS CATHOLIC MEDICAL	:	Case No. 10-11963 (CGM)
CENTERS OF NEW YORK, <u>et al.</u> ,	:	
	:	
Debtors.	:	Jointly Administered
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**AMENDED HEARING AGENDA FOR APRIL 7, 2011**

Time and Date of Hearing: **April 7, 2011 at 11:00 a.m. (Eastern Time)**

Location of Hearing: Courtroom of the Honorable Cecelia G. Morris, Courtroom 523, United States Bankruptcy Court for the Southern District of New York, Alexander Hamilton Custom House, One Bowling Green, Room 701, New York, New York 10004-1408.

Copies of Motions: A copy of each of the Motions may be viewed on the Court's website at [www.ecf.nysb.uscourts.gov](http://www.ecf.nysb.uscourts.gov) or (without charge) at the Debtors' Information Website: at <http://svcmcrestructuring.com>.

**I. CASE STATUS UPDATE**

**II. ADJOURNED MATTERS**

- 1. Debtors' Motion to Enforce Order Approving the Sale of the Bishop Mugavero Assets**- Debtors' Motion to Enforce Order Approving the Sale of the Bishop Mugavero Assets [Docket No. 1246]

- Related Documents: None.
- Objection Deadline: December 28, 2010 at 12:00 p.m.
- Objection:
  - a) Opposition to Debtor's Motion for Entry of Order to Enforce Order Approving the Sale of the Bishop Mugavero Assets [Docket No. 1256]
- Reply:
  - b) Debtors' Reply to Opposition of KFG To Debtors' Motion to Enforce Order Approving the Sale of the Bishop Mugavero Assets [Docket No. 1289]

**Status: A status report will be provided regarding this matter. The hearing on this matter has been adjourned to April 28, 2011. Please note the time and location of the hearing is subject to change.**

### **III. RESOLVED MATTERS**

1. **Bishop Mugavero Sale Motion** - Debtors' Motion For (I) An Order (A) Approving Break-Up Fee And Bidding Procedures For The Auction Of The Bishop Mugavero Assets, (B) Scheduling An Auction And Sale Hearing, And (C) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases; And (II) An Order (A) Approving The Sale Of The Bishop Mugavero Assets, (B) Authorizing The Debtors To Enter Into A Receivership Agreement, (C) Authorizing Payment Of The Brokers' Transaction Fees, And (D) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases [Docket No. 693]

- Related Documents:
  - a) Order (A) Approving Break-Up Fee and Bidding Procedures for the Auction of the Debtors Bishop Mugavero Assets, (B) Scheduling an Auction and Sale Hearing, and (C) Approving Procedures for the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases [Docket No. 772]
  - b) Notice of Auction and Hearing to Consider Approval of the Sale of the Debtors' Bishop Mugavero Assets and Procedures Related Thereto [Docket No. 780]

- c) Notice of Auction Results in Connection With the Sale of the Debtors' Bishop Mugavero Assets and Procedures Related Thereto [Docket No. 898]
  - d) Affidavit of Thomas M. Barry In Support Of The Debtors' Motions For (I) An Order (A) Approving The Sale Of The Bishop Muguvero Assets, And (B) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases (II) An Order (A) Approving The Sale of The Holy Family Home Assets, And (B) Authorizing the Debtors to Enter Into A Receivership Agreement, And (C) Approving the Assumption and Assignment of Certain Executory Contracts and Unexpired Leases [Docket No. 956]
  - e) Notice of Occurrence of Closing on the Sale of the Debtors' Bishop Mugavero Assets [Docket No. 1504]
- Sale Objection Deadline: September 14, 2010 by 4:00 p.m.
  - Objections:
    - f) Limited Objection of the Dormitory Authority of the State of New York to Debtors' Motion For (I) An Order (A) Approving Break-Up Fee And Bidding Procedures For The Auction Of The Bishop Mugavero Assets, (B) Scheduling An Auction And Sale Hearing, And (C) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases; And (II) An Order (A) Approving The Sale Of The Bishop Mugavero Assets, (B) Authorizing The Debtors To Enter Into A Receivership Agreement, (C) Authorizing Payment Of The Brokers' Transaction Fees, And (D) Approving The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases [Docket No. 950]
    - g) Limited Objection of the United States to Debtors' Motion For (I) An Order (A) Approving Break-Up Fee And Bidding Procedures For The Auction Of The Bishop Mugavero Assets, (B) Scheduling An Auction And Sale Hearing, And (C) Approving Procedures For The Assumption And Assignment Of Certain Executory Contracts And Unexpired Leases; And (II) An Order (A) Approving The Sale Of The Bishop Mugavero Assets, (B) Authorizing The Debtors To Enter Into A Receivership Agreement, (C) Authorizing Payment Of The Brokers' Transaction Fees, And (D) Approving The Assumption

And Assignment Of Certain Executory Contracts And  
Unexpired Leases [Docket No. 951]

- Response:
  - h) Letter from Adam C. Rogoff Regarding Bishop Mugavero Sale Hearing [Docket No. 963]
  - i) Response to Limited Objections by Dormitory Authority of the State of New York and United States Department of Housing and Urban Development Approving Contract of Sale [Docket No. 968]

**Status:** The closing of the sale occurred on March 24, 2011. The portion of this matter related to the Receivership Agreement is now moot.

**IV. UNCONTESTED MATTERS**

1. **Claims Procedures Motion** - Debtors' Motion Pursuant to Section 105(A) of the Bankruptcy Code and Bankruptcy Rules 3007 and 9019(B) for Approval of (I) Claims Objection Procedures and (II) Settlement Procedures [Docket No. 1475]

- Related Documents: None.
- Objection Deadline: March 28, 2011 at 12:00 p.m.

**Status:** The hearing on this matter is going forward.

2. **Mintz Levin Retention to OCP** - Notice of Presentment of Order Transferring the Employment and Retention of Mintz, Levin, Cohn, Ferris, Glovsky & Popeo, P.C. as Special Counsel for the Debtors to That of an Ordinary Course Professional *Nunc Pro Tunc* to October 1, 2010 [Docket No. 1395]

- Related Documents: None.
- Objection Deadline: March 2, 2011 at 9:00 a.m.

**Status:** The hearing on this matter is going forward.

**V. CONTESTED MATTERS**

- 1. Manhattan Real Estate Sale Motion** - Debtors' Motion for an Order (I) Approving the Entry Into the Amended and Restated Contract of Sale for the Real Estate and Personal Property Comprising the Debtors' Manhattan Campus to RSV, LLC and North Shore-Long Island Jewish Health Care System; (II) Approving Such Sale Free and Clear of Liens, Claims, Encumbrances and Other Interests; (III) Directing Occupants Under Terminated Leases to Vacate the Property; and (IV) Granting Related Relief Pursuant to Sections 105 and 363 of the Bankruptcy Code [Docket No. 1454]

• Related Documents:

- a) Reservation of Rights of the City of New York With Respect to Debtors' Motion for an Order Approving The Amended Contract For Sale of the Manhattan Campus and Approving such Sale to RSV, LLC and North Shore-Long Island Jewish Health Care System Free and Clear of, Inter Alia, The First Liens of the City of New York [Docket No. 1483]
- b) Statement of the MedMal Trust Monitor in Support of Debtors' Motion for an Order (I) Approving the Entry Into the Amended and Restated Contract of Sale for the Real Estate and Personal Property Comprising the Debtors Manhattan Campus to RSV, LLC and North Shore-Long Island Jewish Health Care System; (II) Approving Such Sale Free and Clear of Liens, Claims, Encumbrances and Other Interests; (III) Directing Occupants Under Terminated Leases to Vacate the Property; and (IV) Granting Related Relief Pursuant to Sections 105 and 363 of the Bankruptcy Code [Docket No. 1485]
- c) Statement of The Official Committee of Unsecured Creditors in Support of the Debtors Motion for an Order (I) Approving the Entry Into the Amended and Restated Contract of Sale for the Real Estate and Personal Property Comprising the Debtors' Manhattan Campus to RSV, LLC and North Shore-Long Island Jewish Health Care System; (II) Approving Such Sale Free and Clear of Liens, Claims, Encumbrances and Other Interests; (III) Directing Occupants Under Terminated Leases to Vacate the Property; and (IV) Granting Related Relief Pursuant to Sections 105 and 363 of the Bankruptcy Code [Docket No. 1494]

- d) Affidavit of Mark E. Toney in Support of The Debtors' Motion For The Sale Of The Real Estate And Personal Property Comprising The Debtors' Manhattan Campus To RSV, LLC And North Shore- Long Island Jewish Health Care System [Docket No. 1518]
  - e) Affidavit of Darcy A. Stacom in Support of The Debtors' Motion to Sell the Real Estate and Personal Property Comprising The Debtors' Manhattan Campus To RSV, LLC And North Shore- Long Island Jewish Health Care System [Docket 1519]
  - f) Affidavit of Michael J. Dowling in Support of The Debtors' Motion for an Order Approving Entry Into the Amended and Restated Contract of Sale for the Real Estate and Personal Property Comprising the Debtors' Manhattan Campus to RSV, LLC and North Shore- Long Island Jewish Health System, and for Related Relief [Docket 1520]
- Objection Deadline: March 23, 2011 at 12:00 p.m.
  - Objections:
    - a) Dudley Gaffin, Alan J. Gerson and Dr. Robert Adelman's Objection to Motion for Entry of an Order (I) Approving the Entry Into the Amended and Restated Contract of Sale for the Real Estate and Personal Property Comprising the Debtors Manhattan Campus to RSV, LLC and North Shore-Long Island Jewish Health System; (II) Approving Such Sale Free and Clear of Liens, Claims, Encumbrances and Other Interests; (III) Directing Occupants Under Terminated Leases to Vacate the Property; and (IV) Granting Related Relief Pursuant to Sections 363 of the Bankruptcy Code [Docket No. 1482]
    - b) Objection of John J. Khadem, M.D. to the Branches of Debtor's Motion for an Order Seeking Approval of the Sale Free and Clear of the Objectant's Rights to Possession; and Seeking an Order Directing Occupants Under Terminated Leases to Vacate the Property [Docket No. 1502]
    - c) Amended Objection of Hillel Y. Marans, M.D. to For Approval of Sale and Directing Occupants to Vacate Property [Docket No. 1524]

- d) Amended Objection of Arthur Z. Schwartz to Motion For Approval of Sale and Directing Occupants to Vacate Property [Docket No. 1532]
- e) Supplemental Objection of James H. Shenwick to Motion For Approval of Sale and Directing Occupants to Vacate Property [Docket No. 1534]
- Informal Responses:
  - a) Mount Sinai Medical Center's Request for Extension of Time to Vacate O'Toole Building
  - b) St. Luke's Roosevelt Hospital's Request for Extension of Time to Vacate O'Toole Building
  - c) Informal Response of the Pension Benefit Guaranty Corporation
  - d) Fulton Houses Tenants Association Letter Re: Lawsuit in State Supreme Court [Docket No. 1528]
  - e) Debtors' Letter Responding to Fulton Houses Tenants Association [Docket No. 1529]
  - f) Fulton Houses Tenants Association Letter Re: Debtor's Response [Docket No. 1530]
  - g) Yetta G. Kurland's Letter Re: Court's September 9, 2010 Decision [Docket No. 1527]
  - h) Debtors' Letter Responding to Yetta Kurland Letter Dated March 22, 2011 [Docket No. 1531]
- Reply:
  - a) Debtors' Omnibus Reply in Further Support of The Debtors' Motion For an Order (I) Approving the Entry Into The Amended And Restated Contract Of Sale For the Real Estate And Personal Property Comprising The Debtors' Manhattan Campus To RSV, LLC And North Shore-Long Island Jewish Health Care System; (II) Approving Such Sale Free And Clear Of Liens, Claims, Encumbrances And Other Interests; (III) Directing Occupants Under Terminated Leases To Vacate The Property; And (IV) Granting Related Relief Pursuant To Sections 105 And 363 Of The Bankruptcy Code [Docket No. 1517]

**Status:** The hearing on this matter is going forward.

**Pursuant to the Order Establishing Case Management Procedures, any party that wants to monitor the hearing telephonically, is required to notify the undersigned counsel for the Debtors in writing regarding such request at least three (3) business days prior to the applicable hearing date.**

Dated: New York, New York  
April 6, 2011

KRAMER LEVIN NAFTALIS & FRANKEL LLP

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